

MINUTES OF THE REGULAR MEETING OF THE RUSH VALLEY TOWN COUNCIL
HELD ON JANUARY 27, 2016 AT THE RUSH VALLEY TOWN HALL, 52 SOUTH PARK
STREET, RUSH VALLEY, UTAH. THE MEETING BEGAN AT 7:005 P.M.

Mayor and Council Members Present: Mayor Brian Johnson, Council Members Dana Gardner, William Harding and Alan Anderton.

Appointed Officers and Employees Present: Attorney Joel Linares, Amie Russell and Chief Kevin Russell

REGULAR AGENDA:

1. Pledge of Allegiance/Roll Call. Mayor Brian Johnson, Dana Gardner, Alan Anderton and William Harding. Pete Albrecht and Lacey Burrows were excused.

2. Approval of meeting minutes for 12/09/15. Dana Gardner made a motion to accept the minutes. Alan seconded the motion. All present voted in favor and the motion carried.

3. Mayors Assignment of Duties to Council Members. Mayor Johnson asked the council members if they were happy with what they were doing or anyone wanted changes made. There were no comments offered. Mayor Johnson commented he is happy and feels like things are getting done and we need to remember we are all volunteers and all we can do is all we can do. We need to make choices between family life and these volunteer jobs. These positions are not full time which can be a challenge for people at times, but we are doing the best we can. Mayor Johnson made a motion to leave council members and Mayor duties as assigned. Dana Gardner seconded the motion. All in favor and the motion carried.

4. Appointment of the Town Recorder and Treasurer. Mayor Johnson commented this needs to be done annually. Mayor Johnson commented that Amie Russell agreed to be reappointed. He further added he would like to appoint Lacey Burrows as the Treasurer. Dana Gardner made a motion to appoint Amie Russell as the Town Recorder and Lacey Burrows as the Treasurer. Alan Anderton seconded the motion. All present voted in favor and the motion carried.

5. Consideration of Approval of Dedication Plat Map for Meadow Lane and Indian Hill Road. Mayor Johnson commented when the county redid the intersection of Meadow Lane and Hwy 36 the contractor was laid off and this has been several years ago. The County is ready to sign off on this plat. The town and county line is basically right down the middle of Indian Mountain Road. It is necessary to look at the road to see where the county line is. Some of the houses are in the county and some are within the town limits of Rush Valley. Tooele County maintains Indian Mountain Road, Meadow Lane and Main Street. William Harding made a

motion to approve the dedication of the plat map. Alan Anderton seconded the motion. All present voted in favor and the motion carried.

6. Consideration to Open Applications and Hire for Town Hall Lawn Maintenance. The contractor providing this service retired. William Harding asked if it was a possibility of opening up this to the youth in the city. This has happened in the past and it didn't work well. William Harding commented he agrees there needs to be an application process. The position in a contract position and the Town of Rush Valley will need to be able to provide a 1099 Misc for tax purposes. Mayor asked what are the requirements for a 1099, can we give a 1099 Misc to youth? They discussed requirements for insurance and other requirements such as age. Attorney Linares commented other cities have not hired youth. They hire companies which may have youth 16 and over working for them and the company carries the liability insurance. He further commented that it may be possible to have parents apply and have their youth do the work. Amie Russell asked if there will be changes to the previous contract. Mayor Johnson commented they will have to enter into a new contract. Last time Dana looked into hiring for this work, companies were not interested for the price the town pays for this service. There will be new requirements with the ball field. Attorney Linares commented he will prepare a RFP and authorize Mayor Johnson and Dana Gardner to interview the applicants. Dana also commented wants someone else involved in the hiring. Attorney Linares commented the applications do not have to be opened at the meeting. Dana Gardner and Mayor Johnson can review the applications and interview prior to the meeting. Next month we will need to look into some options for a lawn mower to mow the ball field as the current mower is not capable to mow that type of grass. Dana Gardner made a motion to advertise for the Town Hall Lawn Maintenance review applicants and award the contract at the February meeting. William Harding seconded the motion. All present voted in favor and the motion carried.

7. Consideration to Open Applications or Renew Engineering Contract. With new IRS requirements we are now required us to have a contract. Brett Clark was working under Chet Hovey prior and there wasn't a clear definition of what was taking place. When approached about this and he didn't want to have a contract and chose to resign. Mayor Johnson commented there was something approved that should have been brought before the Planning and Zoning Commission, but wasn't. Rather than renewing this we are going to seek to fill this contract. There are people who may be interested. Attorney Linares will prepare a RFP for this to be published. He also commented we need to consider what is needed for road repairs as well. Dana Gardner made a motion solicit applications and open bids for engineering contract for Rush Valley Town. William Harding seconded the motion. All present voted in favor and the motion carried.

8. Sheriff's Report. Chief Deputy Brian White called the Mayor and asked if he could bring information and have him discuss it at the meeting tonight as he was double booked. Mayor Johnson reported on his behalf there were 3 details, 0 arrest, 0 citations and 0 significant incidents for December. He brought some coloring books, sheriff's badges and fingerprint ID kits. Mayor thought maybe this could be done at Easter Egg Hunt or Rush Valley Days. It was also commented that possibly representatives from the department could come out and do this at Rush Valley Days.

9. Fire Department Report. Kevin Russell commented receive a check for \$6,000.00 this is for HazMat Response. Currently the department has 3 individuals who have this certification which allows the department to receive this money. ISO called to schedule an appointment to determine the ISO rating. We are now a 10, but with the new hydrant and truck it should go to 9. Jason and Codee Bolinder received some training at the Winter Fire School. There have been battery issues, but they were replaced under warranty. SCBA are due for hydro testing in March. This is required every three years. The 10 year life cycle for bunker gear it is estimated at \$2,000.00 this includes a coat, pants, boots and gloves. Will replace gear for active members, can't afford to replace them all. New pumper pump requires a test yearly pump test – the cost is \$150.00 Apparatus Equipment. There have been some issues with some pagers. The department roster is currently at 18, 4 active, 14 inactive. The new agreement with the state for reimbursement when called out. Kevin explained the amount per apparatus and individual when responding. Kevin asked if anyone wanted the old brush truck or tanker. No interest. He feels we need to downsize. Bucky Whitehouse is working with commissioners to try to get some type of reimbursement for EMS calls. It is about 50/50 fire and EMS for 2015. Kevin provided a copy of the run report. He has been replacing bulbs in the station. There is still a leak in the bay that will be fixed in the Spring. Mayor thanked Kevin and Neal for their efforts and all the time they put in, it is appreciated.

Mayor Johnson asked who the Hazmat Techs were. Kevin commented he is the only Tech and Jason and Codee Bolinder are the Hazmat Operations. Kevin mentioned ISO rating. Some people say whatever about this, but it the one thing we can do for our community. It is an important number because it has an impact on the insurance rates. Whatever the council, fire department can do to help get this number down this is helpful to residents. The new hydrant and the fire truck help reduce this, even though they cost money and still do. These aren't just shiny new toys, they are to benefit the community.

10. Council Reports.

Cemetery – Alan Anderton commented he had nothing to report. Mayor asked if there was any major projects planned for this year. He plans on poisoning t-vine at the St. John Cemetery. Mayor thanked Alan for all he does.

Roads – William Harding reported they have been pretty busy this year with snow removal. There have been some issues with drifting. There were some issues with the plow starting once it started he went back out and plowed them. Mayor commented that he had a few complaints of pushing in the snow into a mailbox and also had a complaint about a mailbox being pushed over. The Mayor asked them to purchase a new one and send the receipt to the town for reimbursement. It was about \$26.00. William Harding thanked the Johnson family for helping get the plow pulled out and back on the road. William also commented Bill Bradbury does a great job.

Parks – Dana Gardner reported it has been quiet this winter. Discussed planning the Easter Egg Hunt for March 19th. He is going to follow-up and make sure Jill Erickson is going to help this year. Dana also commented that Rush Valley Days might be little different this year. There will be a meeting with the committee after this meeting.

Mayor – Mayor Johnson commented he called Commissioner Bitner about our road situation Meadow Lane and the Mormon Trail. He didn't get too far so he asked Attorney Linares to look into it. It gets very complicated because there are federal laws in regards to access to interstates. As long as there are alternatives, it can be rerouted. In the last two to three weeks the Mormon Trail has been trashed and in the past two months the same has happened on Meadow Lane. Half of the road is gravel at this point. The county doesn't have a plan currently. Mayor Johnson asked can weight be limited or limited use during peak times of the year. Where there is water and freezing it makes the roads more susceptible to damage. The gravel trucks he believes are causing the most damage because they are hauling doubles and traveling these roads daily. There are 3 gravel pits these trucks are coming from. The roads cannot support this weight. It is Attorney Linares understanding they are under a court order to get the South Mountain Road completed. Mayor Johnson has brought it up more than once in the past 3-4 years and asked why they can't be taxed and or limit the access. When two of these trucks pass on Meadow Lane it is scary, they are very close. The county is supposed to maintain this road. The shoulders of the road on Meadow Lane are getting broken down and starting to slough off. Mayor Johnson commented nobody seems to want to listen or do anything about this issue.

11. Safety Topic. William Harding presented the safety topic on drowsy driving. If you begin get drowsy pull over, keep interior of vehicle cool, switch drivers every couple hours, take a break at least every two hours, listen to the radio, eat lightly and avoid alcohol or other drugs. The only substitute for sleep is sleep. Short term measures may help you stay alert, but eventually you will need sleep.

12. Payment of Bills. William made a motion to pay the bills as presented. Alan Anderton seconded motion. All present voted in favor and the motion carried.

13. Public Comments. Matt & Jamie Broderick discussed the lot to the North of them is 1 ½ acres and owned by the town. They are currently leasing the property from the town. They are in block 22. There are four sections. They spoke to Mark Nelson at the Tooele County Recorder's office. There is an easement for future development for a road. They presented a map showing the part they lease. They hope this will be desirable to the town because the park equipment can be moved and still allow the park. Mayor Johnson commented it is not a road but an easement and is an extension of Pine Street for future development. Jamie Broderick commented it is not an option to subdivide to get this piece of property. The city could vacate the road if they choose. Attorney Linares there are very few reasons to hold a closed session, but it can be done to decide how to sell a property. There can be a public hearing to consider selling the property, not to anyone specifically and no price listed. Jamie stated they have no way to access the back of their property and they do not have a place to store their equipment. They only have access to the back of their property through the part they are leasing from the town. They were going to purchase property to the west of them, thinking it was owned by the county, but it is not owned by the county. They weren't sure of the exact size of the property. The park would be comparable in size to the Clover Park. There is more equipment at the St. John Park. Many people drive to the Clover Park because there are problems with the park in St. John. It is not easy to manage with the current size. Mayor Johnson commented once a piece of ground it

is sold it is hard to get it back. The town does own other property and one thought from a public safety standpoint if in the future there was a need for another fire station or another hydrant system. There is a water right on the property, but it is still under the school districts name. Kevin Russell commented he would like to see another hydrant or possibly a well and pump similar to the system by the town hall. Jamie Broderick commented originally they just wanted to purchase the part they are leasing, but with the requirements with subdividing that may not be an option. Attorney Linares commented it is up to the council to decide what they want to do. There needs to be a public hearing before deciding what to do. There can be a closed session to discuss the option. The Broderick's commented they are not interested in obtaining any water rights. They would like to possibly put up a barn.

13. Public Comments. Holli Harding commented August 13 has been set as the date for Rush Valley Days this year. Jeff Wintle turned in paperwork the National Guard to reserve the zip line, rock wall and BB gun trailer. The bands have been discussed and dates will be provided to them. It will be cut back a lot this year. Trap shoot will be done by Ruben Quarnberg. With everything that is done for Rush Valley Days we have to have the date firmly set early. We are trying to branch out, but it the same people who work on this event. It others want to step up, it is necessary to scale back. It is a long day and lot of work. Mayor Johnson commented it is a fun day as a council the budget is approved and it is a way to give back to the community, it is better to cut back and reduce than to charge more.

Neal Dymock commented he gave a letter from his doctor to the town attorney in July. The attorney's advice to the council was to not let him run. Neal is asking the council to consider letting him go on runs. He feels the department needs him. He has dealt with this circumstance his whole life and feels he knows his limits and it is monitored. He will support them with their decision. Kevin Russell commented that anyone at any time can have a heart attack. He can't be hiking on mountains or dragging hose. Mayor Johnson commented the circumstances are that we need help within the town and under the directions of the chief and with some other restrictions maybe it can work. William Harding asked what the liability is for the town. Attorney Linares commented it isn't an issue if he's on a scene, it is an issue if he has any problems on scene. Mayor Johnson commented there isn't a situation where there isn't two people. The other thought is if something happened on scene with Neal now there are two victims to respond to. This is an issue on BLM calls where two are required to go. Attorney Linares commented we have actual knowledge because of the letter provided from the doctor that there may be a potential issue. Mayor Johnson commented they will take it under consideration and discuss it and get back to him.

14. Adjourn. William Harding made a motion to adjourn. Dana Gardner seconded the motion. All present voted in favor and the meeting adjourned at 8:29 pm.